

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 10-165(1)(2)(DSD/JJK)

United States of America,

Plaintiff,

v.

**ORDER**

Gayle Deann Claus and  
Nathan Daniel Jesh,

Defendants.

This matter is before the court upon the objections of defendant Gayle Deann Claus (Claus) to the report and recommendation of Magistrate Judge Jeffrey J. Keyes. On October 13, 2010, the magistrate judge recommended denial of the motion for severance by all defendants<sup>1</sup> and the motion to dismiss counts 1 and 12-16 of the superseding indictment by Claus. Claus objects.

The court reviews the report and recommendation of the magistrate judge de novo. 28 U.S.C. § 636(b)(1)(C). After a de novo review of the file, record and proceedings herein, including in camera review of the government's documents at issue in Claus's motion for severance, the court finds that the report and

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<sup>1</sup> Defendants Nathan Daniel Jesh (Jesh) and Stacie Marie Ott (Ott) join in the motion for severance. Jesh did not file separate objections to the report and recommendation. Ott pleaded guilty on October 22, 2010, and therefore, her motion is moot.

recommendation of the magistrate judge is well reasoned and correctly disposes of the motions. Accordingly, **IT IS HEREBY ORDERED** that:

1. Claus's objections to the report and recommendation [Doc. No. 132] are overruled; and

2. The report and recommendation [Doc. No. 130] is adopted in its entirety.

Dated: November 1, 2010

s/David S. Doty  
David S. Doty, Judge  
United States District Court